

Serial No. 10/566,960
Examiner Joseph S. Leyson
Group Art Unit 1722

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REMARKS

Claims 1-10 remain pending herein. Claim 1 is the only independent claim.

A substitute specification is filed herewith, in which the spacing of the lines is now 1½, as required by the Examiner on Page 2 of the Office Action.

The Abstract has been amended as required by the Examiner on Page 2 of the Office Action, and is now less than 150 words in length.

Rejection of the claims 1-9 under 35 U.S.C. §103(a)

Claims 1-6 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over (1) Bessemer et al. (US 6,620,354) in view of (2) Racioppi et al. (US 5,780,071), (3) Gatto (US 3,538,210) and (4) Dorninger (US 5,505,058).

Claims 7-8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bessemer in view of Racioppi, Gatto and Dorninger as applied to claims 1-6 and 9, and further in view of Kossl (US Publication US 2003/0219503).

In light of the following comments, each of these rejections is respectfully traversed and reconsideration is requested.

Independent Claim 1 is directed to a cooling and molding water tank for extrusion of a plastic complicated profile. The tank includes a tank body with a front end block, a rear end block, a top cover, two side plates, a bottom plate and a plurality of foot plates which are in bolted or hinged joint, wherein an inlet pipe is provided on the side plate of the water tank near the front end block. An outlet pipe is provided on the side plate of the water tank near the rear end block, and a vacuum valve and a vacuum gauge are provided on the top cover of the water tank. A plurality of molding blocks and water collection plates are provided along the length direction inside the tank body, the molding blocks and water collection plates being spaced from each other, and the intervals therebetween becoming wider from the front end to the rear end.

The Action recites (in paragraph 6) that Bessemer "disclose a cooling and molding water tank for extrusion of a plastic complicated profile including a tank body including a front end block, a rear end block, a top cover, two side plates and a bottom plate, and a plurality of molding blocks 523, 526, 529, 532 535 (five in number) and water collection plates (four in number, with internal cavities 543, 546, 549 552) which are provided along the length direction inside the tank body, the openings of the molding blocks and the internal cavities are aligned..."

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A tank in accordance with Claim 1 provides a novel cooling solution for an extrusion profile. In particular, a number of water collection plates alternate with the molding blocks so that the cooling water flows in a periphery- inner circle - periphery pattern to cool the profile homogeneously and sufficiently (see at least the last paragraph of the description)

Applicant respectfully submits that none of the cited references teaches or suggests the water collection plates as recited. In particular, contrary to the assertion of the Examiner, the openings 543, 546, 549, 552 in Bessemer (US Patent No. 6,620,354) are not "water collection plates", but rather are openings for the calibrators 523-535 to pass therethrough (see col. 11, lines 6-10 of Bessemer which recite that "openings 540-555 through the walls of each cooling chamber 503-515 can be provided in alignment with the center openings 560-572 in the calibrators 523-535 through which the extrusion can be fed"). Nowhere in Bessemer can it be found a teaching that the openings 543-552 allow a cooling liquid to pass therethrough.

For at least the foregoing reason Applicant respectfully submits that independent Claim 1 is patentable over the art of record, as Bessemer fails to teach or suggest the claimed water collection plates.

In addition, Applicant submits that it is, of course, improper for the Examiner to pick and choose elements from several references in order to "build" an obviousness rejection, when such a combination would not in fact have been obvious to one of ordinary skill in the art. Further, it is impermissible to use an Applicants' specification as an instruction manual or "road map" to piece together the teachings of the prior art in order to render claims obvious.

Page 5 of the Action provides the following statements as to why it would allegedly be "obvious" to modify the tank of Bessemer to (1) include footing plates 'because such a modification would enable changeover as disclosed by Racioppi'; (2) to modify the interval spacing of Bessemer to become wider from the front end to the rear end 'because such a medication (sic) would increase the degree of setting of the extruded profile within the tank as disclosed by Gatto'; (3) to modify the tank of Bessemer with the means for providing water and vacuum of Dorninger 'because such a modification is well known and would provide means for water and vacuum to the tank of Bessemer' (?); and (4) to further modify the inlet pipe to be near the front end block and the outlet pipe to be near the rear end block 'because such modification would enable concurrent flow relative to the extruded profile as disclosed by Gatto'.

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Again, Applicant submits that the *only* suggestion for combining the alleged teachings of (1) Bessemer, (2) Racioppi, (3) Gatto and (4) Dorninger, in the manner suggested by the Examiner is found in the luxury of the hindsight accorded one who first viewed Applicants' disclosure, which of course, is not a proper basis for a rejection.

For at least for the same reasons discussed above with regard to independent Claim 1, dependent Claims 2-10 are also patentable. In particular, Claim 3 further defines the number of the water collection plates, and Claim 9 further defines the shape of the internal cavity of the water collection plates, which cannot be found in the cited prior art.


CONCLUSION

Applicant respectfully submits that all pending claims are in condition for allowance, early notification of which is earnestly solicited. Should the Examiner be of the view that an interview would expedite the application at large, request is made that the Examiner telephone the undersigned attorney at (908) 518-7700 in order to resolve any outstanding issues.

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The Office is authorized to charge any fees required to deposit account number 50-1047.

Respectfully submitted,


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